



Party Wall etc. Act 1996

## LOFT CONVERSIONS & ROOF EXTENSIONS

These types of projects commonly involve works that are notifiable under section 3 of the Party Wall etc. Act 1996 including:

- **Temporarily exposing the party wall** by removing roof coverings;
- **Cutting into the party wall** to install beams, padstones, flashings, or similar;
- **Thickening the party wall** by adding insulation, battens and plasterboard;
- **Raising the party wall** to form a flank wall for a roof extension (dormer cheek);
- **Removing projections from the party wall**, such as demolition of chimney breasts or partial removal of a chimney stack.

### Notice, Consent & Awards

A Building Owner's right to carry out notifiable works depends on:

- Serving a valid notice under the Act; and
- Either the Adjoining Owner's express consent or the service of an Award made by surveyors under section 10 of the Act.

In addition, the statutory notice period must have expired or been expressly waived by the Adjoining Owner before works commence.

The right to carry out the works is subject to the Building Owner making good any damage to the adjoining property, including internal furnishings and decorations.

### Raising a Party Wall

Utilising an existing party wall maximises internal space. Although the Act does not prescribe the method or materials for raising a party wall, but owners, designers and surveyors should consider how the chosen design may be impacted by and affect the future development of the neighbouring property. Where possible, it is often preferable to raise the full width of the wall in matching materials, particularly where a masonry parapet exists, so the Adjoining Owner can develop in a similar way later with minimal difficulty and minimal disruption to the neighbouring property.

Raising only half the width of a party wall (entirely on the owner's side) is permitted; the raised portion remains a party wall because it continues the wall that stands on land of different owners. However, a half-width or partial raise can restrict the Adjoining Owner's ability to later raise the full width, without removing the dormer cheek. Although the Act allows such removal (s 2(2)(h) of the Act), it could potentially be highly disruptive for the dormer owner.

If the Adjoining Owner later uses work carried out entirely at the Building Owner's expense, the Building Owner may claim a proportionate contribution to those costs from the Adjoining Owner.

### Design and Regulatory Considerations for Dormers

- **Parapet provision:** Incorporating a parapet on the flank wall of a dormer can help protect the integrity of the flat roof if the neighbour undertakes a similar development.
- **Fire protection:** Ensure voids in the party wall are suitably stopped up and provide appropriate protection against external fire spread.
- **Chimney clearance:** Ensure any active adjacent chimneys remain sufficiently above the new dormer to comply with Building Regulations.

Early expert advice can address any misunderstandings and help avoid common pitfalls. We offer clear, expert advice and guidance. For a **free, no-obligation initial telephone consultation** - please get in touch.

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